

CYPE(6)-02-22 - Papur i'w nodi 5

Y Pwyllgor Plant, Pobl Ifanc ac Addysg

Children, Young People and Education Committee

Julie Morgan AS
Y Dirprwy Weinidog Gwasanaethau
Cymdeithasol

Dyddiad | Date 12 January 2022

Pwnc | Subject: Y defnydd o ataliaeth ar blant a phobl ifanc

Annwyl Julie,

Cefais yn ddiweddar ohebiaeth gan Hope not Handcuffs yn codi pryderon am ddarparwyr trafndiaeth breifat weithiau'n defnyddio ataliaeth ar blant a phobl ifanc. Mae copi o'r ohebiaeth ynghlwm. Mae'r mater hwn yn amlwg yn un sy'n peri pryder.

A yw'r arfer hwn yn digwydd yng Nghymru ac, os felly, i ba raddau? Rwyf hefyd yn pryderu am y posibilrwydd bod yr arfer hwn yn effeithio ar blant a phobl ifanc mewn lleoliadau y tu allan i Gymru. A wyddoch a yw hyn yn wir, ac os ydyw, pa gamau y gallwch eu cymryd i sicrhau nad yw'n parhau i ddigwydd?

Edrychaf ymlaen at gael eich ymateb.

Yn gywir,



Jayne Bryant AS
Cadeirydd

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

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Jayne Bryant MS
Chair
Children, Young People and Education Committee
Welsh Parliament
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20 December 2021

Dear Ms Bryant,

I write to you as the Founder and Chief Executive of Serenity Welfare, a provider of secure transportation and welfare services for children living in or on the edge of care. We provide our services to vulnerable children aged between 10 and 17 across the UK, including in Wales.

In 2020, we launched our Hope instead of Handcuffs campaign in England, which seeks to address the alarming rate at which innocent children are handcuffed by private transportation providers. I would like to request a meeting with you to discuss our campaign in more detail as we prepare to launch in Wales.

As you might know, children and young people living in or on the edge of care often need to be transported between care settings, taken to school, hospital or court hearings. Local authorities regularly hire private secure transportation providers to carry out these journeys. Shockingly, these private providers often use handcuffs or other forms of restraint on the children in their care. To be clear, I am talking about children who have not been involved, nor have been suspected of being involved, in any criminal activity.

Worryingly, we do not know the scale of the problem. There is no consistent approach to collecting and reviewing data on the handcuffing of children during secure transportation. Whilst we welcome the Welsh Government's recently published *Reducing Restrictive Practices Framework*, which notes that data on the use of restrictive practices should be reviewed and analysed regularly, it is not clear whether this will be mandatory nor whether the restraint of innocent children during secure transportation will be monitored too. It is also unclear whether the Welsh Government would be prepared to make the framework statutory should they find providers' restraint practices do not comply with the guidance.

Such data gaps put children at risk. Without an official regulatory or policy mechanism to record and monitor the use of handcuffs, we cannot check whether providers' restrictive practices comply with guidance and whether the method of restraint employed was the appropriate approach to begin with. Only by plugging this worrying data gap can we properly monitor and scrutinise restraint practices during secure transportation.

In England, our campaign has garnered cross-party support and we are engaging with relevant bodies on how this data gap can be addressed in the future. Notably, the approach set out in the Welsh Government's framework seeks to promote the rights and principles set out in the United Nations Convention on the Rights of the Child. Establishing a consistent approach for monitoring restraint practices, including recording instances of handcuffing during secure transportation, will increase accountability amongst providers and ensure that their services are compliant with the rights of the children in their care.

This will also ensure that any related policy development reflects the recommendations of the UN Committee on the Rights of the Child, including its recommendations in relation to Article 37, mandating that all incidents of restraint against children should be recorded, monitored and evaluated by the state.

I would welcome the opportunity to meet with you to discuss our campaign in more detail and how we can work together to strengthen protections in Wales for these vulnerable – and often forgotten about – children.

I look forward to hearing from you soon.

Yours sincerely,
Emily Aklan
Founder, Hope instead of Handcuffs